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REMARKS

The Applicants request reconsideration of the rejection.

Claims 1 and 3-33 are now pending.

Claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, et al., US 6,732,230 (Johnson) in view of Nambu, US 6,626,665 (Nambu). The Applicants traverse as follows.

Claim 1 has been amended to emphasize a feature of the invention in which the data movement control part executes control, when the host adapter receives an access control command to set/change an access attribute of the first logical device, to move data from a first logical device to a second logical device. By this feature, in response to the setting/changing of the access attribute of the first logical device according to an access control command, the data can be moved to storage areas of different reliability. In other words, the setting or changing of the access attribute itself (for example, to "write inhibit" or "read/write inhibit") causes the data to be moved to a logical device of storage areas of different reliability, such as is necessary or desirable in view of the changed access attribute.

Johnson is directed to a method of automatically migrating data from a source to an assemblage of data carriers

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as a straight input/output procedure. Johnson's key is in writing back a portion of the original data to the source carrier to create, with the data carriers of the migrated data, a new RAID-mapped assemblage of carriers.

Nambu is seen to disclose plural kinds of storage devices, but no data migration.

There is no motivation to combine Nambu with Johnson because Johnson is believed to require similar data carriers for proper performance, and neither Johnson nor Nambu discloses a need for data migration among plural kinds of storage devices.

Importantly, neither Johnson nor Nambu is relevant to the field of data migration from a first logical device to a second logical device. As well, neither Johnson nor Nambu discloses or fairly suggests that the logical devices belong to storage devices of different respective reliabilities, or that an access attribute can be changed to effect the migration.

Claims 2-5, 9, 10, 13, 14, 16, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of Nambu and Kitamura, et al., US 6,658,541 (Kitamura). Kitamura, while perhaps suggesting write or read/write inhibiting, does not relate to the claimed data migration

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based on receipt of an access control command setting or changing the access attribute of a logical device, and thus even in combination with Johnson and Nambu does not reach the amended claims. As well, there is no motivation to combine the inhibit of Kitamura in any meaningful way with the teachings of either Johnson or Nambu, which do not appear to have any use for the applied teachings of Kitamura.

Claims 6 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of Nambu, Kitamura, and Katsuragi, et al., US 2002/0184443 (Katsuragi). Katsuragi, however, does not fill the teachings missing from Johnson, Nambu, and Kitamura as discussed above, and thus does not contribute to rendering obvious the invention claimed in claims 6 and 17.

Finally, claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of Nambu, Kitamura, and Matsunami, et al., US 2002/0095549 (Matsunami).. Again, Matsunami does not supply the teachings missing from the other three references applied previously, and thus any motivated combination fails to render obvious claim 11.

The Examiner indicated that claims 7, 8, 18, and 19 would be allowable if rewritten in independent form, which the Applicants have done.

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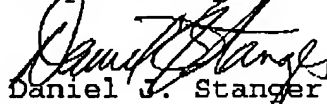
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New independent claim 21 is similar to claim 1, but recites various structure and functions in the embodiment of a disk controller. Thus, claim 21 and its dependent claims 22-33 are also patentable.

In closing, the Applicants' representatives thank the Examiner and his supervisor, Mr. Matthew Anderson, for the courtesies extended during the office interview conducted December 14, 2005. The foregoing amendments to the independent claims were discussed during that interview, and it is believed that distinctions were made clear between the claimed invention and Johnson's data transfer from a source data carrier to strips spanning storage devices.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims. The Commissioner is hereby authorized to charge any fees required for consideration of this Reply to Deposit Account No. 50-1417 (ASA-5055).

Respectfully submitted,


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